



City of Seattle

Edward B. Murray, Mayor

Seattle Department of Planning and Development

Diane M. Sugimura, Director

July 29, 2015

Courtney Flora
McCullough Hill Leary, PS
701 5th Ave STE 6600
Seattle, WA 98104

RE: 500 Olive Way, Opinion Letter
DPD Project No. 3021551
APN: 0659000380

Dear Ms. Flora,

You have requested a letter verifying that the structure or structures at **500 Olive Way** may legally be rebuilt if damaged or destroyed by fire, act of nature or other cause beyond the owner's control, and that existing uses of that structure may resume under those circumstances.

The address you have specified is in a **DOC2 500/300-500** zone: Downtown office core with a maximum height of 500 feet for non-residential development and a base height limit of 300 feet for residential development. Additional height up to a maximum height limit of 500 feet is possible for residential development provided that bonuses are provided pursuant to SMC 23.49.015. It is located in the outer transitional airport height overlay, the Denny Triangle village center, the downtown fire district, and a frequent transit area. According to our **Permit No. 434353**, issued in 1955, the legally recognized use of this property is **banking/office**. Additionally, **Permit No. 718582**, issued in 2001, changed the use of the basement to **training room/training shop**. These are the permitted uses under the current zoning. Please note that we are no longer providing copies of Certificates of Occupancies.

Seattle's zoning laws have always been subject to change, so, even in cases where the historic use of a building or site is permitted under the current zoning, it is not uncommon for the structure or development not to meet all current development standards, such as setback or parking requirements. Such a development, approved under earlier standards, is said to be *legally nonconforming to development standards*. (It also is not uncommon for historically-recognized lots in single-family residential zones to have less than the lot area required under the current zoning. Such a lot may qualify for one of several lot area exceptions under the current Land Use Code, in which case it technically is not nonconforming.) According to Section 23.42.112 C, a structure that is legally nonconforming to development standards, if damaged or destroyed by



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fire, act of nature, or other cause beyond the control of the owner, may be rebuilt, by permit, to the configuration existing immediately prior to the destruction, or smaller. Action towards reconstruction must commence within 12 months. Please note that if the property is located in a historical district, additional approvals may be required.

A determination as to whether the current development is nonconforming to any development standard is beyond the scope of this letter. That sort of analysis would require submission of plans, to be reviewed for an hourly fee.

Our Permit Tracking System reflects **no** open enforcement actions in our records under the address you have specified. If there are any other uses or other code violations at that address, they have not been brought to our attention.

This opinion letter is not a final determination by the Department of Planning and Development. The information in this letter is intended as a convenience to you based on information in our permit records. We do our best to offer accurate and complete information, but we can offer no warranty that the information on this form is up-to-date, correct and complete. The uses and developments legally authorized on a lot may also be affected by decisions made by the Seattle Hearing Examiner or a court of law. Such information may not always be found among our microfilmed records.

I hope this information is helpful to you. Zoning and permit research tools, as well as links to the Seattle Municipal Code and other publications, are available on-line at www.seattle.gov/dpd for your reference. If you have further questions about the information in this letter, please email us at PRC@seattle.gov or call the DPD Public Resource Center message line, at (206) 684-8467.

Sincerely,

Rudy Camacho

Permit Technician
Public Resource Center

